

UNITED STATES DISTRICT COURT

for the
Eastern District of Wisconsin

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

information associated with certain cellular telephones assigned International Mobile Subscriber Identity (IMSI) numbers 310240249297369 and 310260819197935 ("the SUBJECT PHONES") that are stored at premises controlled by T-Mobile, a wireless telephone service provider headquartered at 4 Sylvan Way, Parsippany, New Jersey, 07054

Case No.24-837M(NJ)

WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure of the following person or property located in the Eastern District of Wisconsin
(identify the person or describe the property to be searched and give its location):

Please see Attachment A.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal *(identify the person or describe the property to be seized)*:

Please see Attachment B.

YOU ARE COMMANDED to execute this warrant on or before 4/9/2024

(not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Honorable Nancy Joseph


(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (*check the appropriate box*)

☐ for days (not to exceed 30) ☐ until, the facts justifying, the later specific date of .

Date and time issued:3/26/2024 (@ 10:31 a.m.

the later specific date of _____



Judge's signature

Judge's signature

City and state: Milwaukee, WI

Honorable Nancy Joseph, U.S. Magistrate Judge

Printed name and title

Return

Case No.:

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of :

Inventory of the property taken and name(s) of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

Executing officer's signature

Printed name and title

ATTACHMENT A

Property to Be Searched

This warrant applies to records and information associated with the cellular telephone assigned IMSI numbers **310240249297369** and **310260819197935**, (“the Account”), that are stored at premises controlled by T-Mobile (“the Provider”), headquartered at 4 Sylvan Way, Parsippany, New Jersey, 07054.

ATTACHMENT B

Particular Things to be Seized

I. Information to be Disclosed by the Provider

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, including any information that has been deleted but is still available to the Provider or that has been preserved pursuant to a request made under 18 U.S.C. § 2703(f), the Provider is required to disclose to the government the following information pertaining to the Account listed in Attachment A for the time period January 27, 2024 to February 2, 2024:

- a. The following subscriber and extended subscriber information about the customers or subscribers of the Account:
 - i. Names (including subscriber names, user names, and screen names);
 - ii. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
 - iii. Local and long distance telephone connection records;
 - iv. Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol (“IP”) addresses) associated with those sessions;
 - v. Length of service (including start date) and types of service utilized;
 - vi. Telephone or instrument numbers (including MAC addresses, Electronic Serial Numbers (“ESN”), Mobile Electronic Identity Numbers (“MEIN”), Mobile Equipment Identifier (“MEID”); Mobile Identification Number

- (“MIN”), Subscriber Identity Modules (“SIM”), Mobile Subscriber Integrated Services Digital Network Number (“MSISDN”); International Mobile Subscriber Identity Identifiers (“IMSI”), or International Mobile Equipment Identities (“IMEI”); device make and model;
- vii. Other subscriber numbers or identities (including the registration Internet Protocol (“IP”) address); and
 - viii. Means and source of payment for such service (including any credit card or bank account number) and billing records.
- b. All records and other information (not including the contents of communications) relating to wire and electronic communications sent or received by the Account, including:
- i. the date and time of the communication, the method of the communication, and the source and destination of the communication (such as the source and destination telephone numbers); call detail records for voice, SMS, MMS, and data; email addresses and IP addresses; and
 - ii. information regarding the cell towers and sectors through which the communications were sent and received; and
 - iii. per call measurement and timing advance data (PCMD, RTT, True Call, NELOS, or similar)

II. Information to be Seized by the Government

All information described above in Section I that constitutes evidence of violations of Title 18, United States Code, §§ 2119 (Carjacking), and 924(c) (brandishing of a firearm during a crime of violence), during the period January 27, 2024 to February 02, 2024.

UNITED STATES DISTRICT COURT

for the
Eastern District of Wisconsin

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

information associated with certain cellular telephones assigned International Mobile
Subscriber Identity (IMSI) numbers 310240249297369 and 310260819197935 ("the
SUBJECT PHONES") that are stored at premises controlled by T-Mobile, a wireless
telephone service provider headquartered at 4 Sylvan Way, Parsippany, New Jersey, 07054

Case No. 24-837M(NJ)

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Please see Attachment A.

located in the Eastern District of Wisconsin, there is now concealed (identify the person or describe the property to be seized):

Please see Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 2119	Carjacking
18 U.S.C. § 924(c)	Brandishing a Firearm During the Commission of a Crime of Violence

The application is based on these facts:

Please see Affidavit.

☒ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Kevin Kaiser

Applicant's signature

Kevin Kaiser, Special Agent - FBI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
_____ telephone _____ (specify reliable electronic means).

Date: 3/26/2024

City and state: Milwaukee, WI

Nancy Joseph

Judge's signature

Honorable Nancy Joseph, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Kevin Kaiser, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant for information associated with certain cellular telephones assigned International Mobile Subscriber Identity (IMSI) numbers **310240249297369** and **310260819197935** (“the SUBJECT PHONES”) that are stored at premises controlled by T-Mobile, a wireless telephone service provider headquartered at 4 Sylvan Way, Parsippany, New Jersey, 07054. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. § 2703(c)(1)(A) to require T-Mobile to disclose to the government copies of the information further described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review the information to locate items described in Section II of Attachment B.

2. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since April 2023. Since April 2023, I have been assigned to the FBI’s Milwaukee Area Violent Crimes Task Force. This Task Force is a multi-jurisdictional law enforcement entity charged with investigating violations of federal law, including bank robberies, commercial robberies, and other violent crime matters, defined under Title 18 of the United States Code. I have been trained in a variety of investigative and legal matters, including the topics of Fourth Amendment searches, the drafting of search warrant affidavits, and probable cause. I have assisted in criminal investigations, participating in surveillance, interviews, and debriefs of arrested subjects. As a result of this training and investigative experience, I have learned how and why violent actors typically conduct various aspects of their criminal activities.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on the investigation to date, I submit that there is probable cause to believe that the users of the cellular telephones assigned International Mobile Subscriber Identity (IMSI) numbers **310240249297369** and **310260819197935** conspired to commit and committed four armed carjackings in Milwaukee, Wisconsin, between January 28, 2024 and January 30, 2024, in violation of Title 18, United States Code, §§ 2119 (Carjacking), and 924(c) (brandishing a firearm during a crime of violence). There is also probable cause to search the information described in Attachment A for evidence of these crimes as further described in Attachment B.

PROBABLE CAUSE

January 28, 2024 – Mazda CX-9

5. On January 28, 2024, at approximately 6:45 PM, W.W. (XX/XX/1968) and E.R. (XX/XX/1966) were walking to their vehicle after eating dinner at Fixture Pizza Pub located at 623 S. 2nd Street, Milwaukee, Wisconsin. W.W. parked her white 2015 Mazda CX-9 approximately two blocks away at 298 W Bruce Street. As W.W. rounded the corner to her vehicle, she observed a Toyota Camry with the driver's window broken and glass on the ground. She further observed a pair of legs, Suspect 1, sticking out of the driver's window. W.W., thinking that her vehicle had been broken into as well, shouted, "Hey, what are you doing?" W.W. then entered the driver's seat and started her vehicle.

6. Immediately after sitting in her vehicle, W.W. looked up and observed Suspect 2 pointing a firearm at E.R. W.W. then exited the vehicle and was approached by Suspect 1 who

kept grabbing at what appeared to be a pistol in his waistband. Suspect 1 then stated, “Give me your shit!” W.W. attempted to take the wallet out of her purse, however, Suspect 1 yelled, “No I want all of it! Give me all of it!” W.W. then handed Suspect 1 her purse and her phone.

7. Suspect 2 presented a handgun at E.R. and demanded, “Drop your phone.” E.R. placed his phone on the ground, placed his hands in the air, and began to back away with W.W.

8. Suspect 1 then entered W.W.’s Mazda CX-9. Suspect 2 entered the passenger side of the suspect vehicle, a beige or tan SUV, after which both vehicles fled the scene.

9. Suspect 1 was described as a black male, late teens, approximately 5’05”-5’07”, 150 lbs., with a dark complexion. He was wearing a black pull-over hooded sweatshirt, black pants, and a full head “balaclava” style mask.

10. Suspect 2 was described as a black male, late teens to early 20s, approximately 5’05”, 150 lbs. He was wearing a dark colored jacket and was armed with a black semiautomatic pistol with a silver slide.

January 28, 2024 – BMW 328i

11. On January 28, 2024, at approximately 8:25 PM, R.W. (XX/XX/1965) parked his 2013 BMW 328i at 2205 E. Bellevue Place, Milwaukee, Wisconsin. R.W. entered the apartment building at that location in order to get more information about apartment rentals.

12. When R.W. returned to his vehicle, a dark colored SUV pulled in front of his vehicle from the west and Suspect 3 exited the rear driver side door. Suspect 3 pointed a black handgun toward his head and demanded R.W.’s keys and phone.

13. Suspect 3 then entered R.W.’s vehicle and fled eastbound followed by the suspect vehicle.

14. On January 28, 2024, at approximately 10:11 PM, officers with the Milwaukee Police Department located R.W.'s BMW 328i using vehicle pings. The vehicle was located parked and unoccupied at 6927 W. Brentwood Avenue, Milwaukee, Wisconsin.

January 29, 2024 – Mercedes-Benz CLA

15. On January 29, 2024, at approximately 7:45 PM, F.O. (XX/XX/1994) parked his Mercedes-Benz CLA in front of 2409 N. Farwell Avenue, Milwaukee, Wisconsin. F.O. was waiting for his friend, H.G. (XX/XX/1997), at that location. After H.G. entered the front passenger seat of F.O.'s vehicle, a black Mazda SUV, believed to be a black CX-9, drove up and parked in front of him, preventing him from driving away. Suspect 4, who was armed with a handgun, exited the driver's door of the Mazda SUV and approached him while pointing the handgun at his direction. Suspect 5 and Suspect 6, also armed with handguns, exited the passenger side of the Mazda SUV and approached H.G. while pointing the handguns at his direction.

16. One of the suspects stated, "Run your shit, give me everything in your pockets and the keys." F.O. and H.G. both complied, handing the suspects their wallets, phones, and keys. Suspect 4 entered the driver's seat of the Mercedes-Benz CLA and Suspect 5 and Suspect 6 entered the Mazda SUV. Both vehicles then fled southbound on N. Farwell Avenue.

17. Suspect 4 was described as a black male, 15 years of age, 160 pounds, slim build with a dark skin complexion. He was wearing all black clothing, a black ski mask, and was armed with a dark colored handgun with an extended magazine.

18. Suspect 5 and Suspect 6 were both described as black males, 16-17 years of age, 150-160 pounds, with thin builds. They were wearing dark clothing, black ski masks, and were armed with dark colored handguns with extended magazines.

19. On January 29, 2024, at approximately 8:32 PM, officers with the Milwaukee Police Department located F.O.'s Mercedes-Benz CLA parked and unoccupied at 3926 N 23rd Street, Milwaukee, Wisconsin.

January 30, 2024 – Infiniti Q45

20. On January 30, 2024, at approximately 4:45 PM, A.P. (XX/XX/1979) entered his Infiniti Q45 which was parked in a parking lot at 413 N 2nd Street, Milwaukee, Wisconsin. A.P. observed Suspect 7 approach from the rear of his vehicle. Suspect 7 tapped on A.P.'s driver's window, pointed a firearm at him, and told him to get out of the car and give him everything. A.P. exited his vehicle and handed him the vehicle's key fob. As A.P. began to walk away, he observed that a dark colored SUV was parked behind his vehicle blocking him in.

21. Suspect 7 entered A.P.'s vehicle and drove westbound on W St Paul Avenue with the dark SUV following behind.

22. Suspect 7 was described as a black male in his 20's, 5'09", with a thin build. He was wearing a black ski mask, black or blue sweatshirt, and black pants. He was armed with two firearms, one silver and the other possibly black.

Vehicle Recovery and Nexus Between the Four Carjackings

23. At approximately 5:57 PM on January 30, 2024, the above-mentioned Infiniti was recovered by police, following a high-speed chase which resulted in a crash. Five individuals were located in the vehicle, including the driver, James POOLE (XX/XX/2005).

24. Your affiant notes that the location of 6927 W. Brentwood, where the above-mentioned BMW was recovered on January 28, 2024, is immediately behind an address known to law enforcement to be POOLE's residence.

25. Your affiant notes that the above-mentioned white Mazda CX-9 (taken January 28, 2024) was recovered on February 13, 2024, at 3006 W. Highland Avenue, and that said Mazda had been spray-painted black.

26. Your affiant notes that said Mazda therefore fits the description of the suspect vehicle used in the Mercedes carjacking on January 29, 2024.

27. The Mercedes was recovered by Milwaukee Police Department personnel at 3926 N 23rd St, Milwaukee, WI. MPD police officers reviewed a video recovered from 3937 N 23rd St and observed the suspect going up to a black SUV and tossing an item in front of 3943 N 23rd St. On 23rd St the item recovered was a Wisconsin ID Card issued to James POOLE (XX/XX/2005).

28. Your affiant notes that the four above mentioned car jackings took place in a span of less than three days, and that each carjacking occurred within less than 4 miles of each other in similar areas of the city. The similarity in fact pattern between each carjacking, especially when combined with this narrow window of time and location and the links between the incidents described above, strongly suggests that the same person or persons are involved in each of the crimes described in this application.

T-Mobile Area Search

29. On February 28, 2024, pursuant to a search warrant in the United States District Court, Eastern District of Wisconsin, your affiant received Area Search data from T-Mobile related to the aforementioned carjackings.

30. An initial review of the area search information identified two T-Mobile International Mobile Subscriber Identity (IMSI) numbers who had hit on at least two locations which are separated by time and distance. Based on being identified in these multiple locations on separate dates and times your affiant believes there is probable cause that the additional location

and account information will provide evidence of the aforementioned violations being investigated.

31. The first IMSI, **310240249297369**, was in the area of the BMW carjacking, the BMW recovery, the Mercedes recovery, and the Infiniti carjacking on the dates and times requested.

32. The second IMSI, **310260819197935**, was in the area of the BMW recovery and the Mercedes recovery on the dates and times requested.

33. An initial limited additional period of both subscriber and location information is being requested to identify the location of the devices related to the other incidents being investigated and to assist in identifying the user of the device based on their travel patterns, frequently visited areas, and subscriber information to include name and address.

34. In my training and experience, I have learned that T-Mobile is a company that provides cellular telephone access to the general public. I also know that providers of cellular telephone service have technical capabilities that allow them to collect and generate information about the locations of the cellular telephones to which they provide service, including cell-site data, also known as “tower/face information” or “cell tower/sector records.” Cell-site data identifies the “cell towers” (i.e., antenna towers covering specific geographic areas) that received a radio signal from the cellular telephone and, in some cases, the “sector” (i.e., faces of the towers) to which the telephone connected. These towers are often a half-mile or more apart, even in urban areas, and can be 10 or more miles apart in rural areas. Furthermore, the tower closest to a wireless device does not necessarily serve every call made to or from that device. Accordingly, cell-site data provides an approximate location of the cellular telephone but is typically less precise than

other types of location information, such as E-911 Phase II data or Global Positioning Device (“GPS”) data.

35. Based on my training and experience, I know that T-Mobile can collect cell-site data about the SUBJECT PHONES. I also know that wireless providers such as T-Mobile typically collect and retain cell-site data pertaining to cellular phones to which they provide service in their normal course of business in order to use this information for various business-related purposes.

36. Based on my training and experience, I know that wireless providers such as T-Mobile typically collect and retain information about their subscribers in their normal course of business. This information can include basic personal information about the subscriber, such as name and address, and the method(s) of payment (such as credit card account number) provided by the subscriber to pay for wireless telephone service. I also know that wireless providers such as T-Mobile typically collect and retain information about their subscribers’ use of the wireless service, such as records about calls or other communications sent or received by a particular phone and other transactional records, in their normal course of business. In my training and experience, this information may constitute evidence of the crimes under investigation because the information can be used to identify the SUBJECT PHONE’s user or users and may assist in the identification of co-conspirators and/or victims.

AUTHORIZATION REQUEST

37. Based on the foregoing, I request that the Court issue the proposed search warrant, pursuant to 18 U.S.C. § 2703(c) and Federal Rule of Criminal Procedure 41.

38. I further request that the Court direct T-Mobile to disclose to the government any information described in Section I of Attachment B that is within its possession, custody, or

control. Because the warrant will be served on T-Mobile, who will then compile the requested records at a time convenient to it, reasonable cause exists to permit the execution of the requested warrant at any time in the day or night.

ATTACHMENT A

Property to Be Searched

This warrant applies to records and information associated with the cellular telephone assigned IMSI numbers **310240249297369** and **310260819197935**, (“the Account”), that are stored at premises controlled by T-Mobile (“the Provider”), headquartered at 4 Sylvan Way, Parsippany, New Jersey, 07054.

ATTACHMENT B

Particular Things to be Seized

I. Information to be Disclosed by the Provider

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, including any information that has been deleted but is still available to the Provider or that has been preserved pursuant to a request made under 18 U.S.C. § 2703(f), the Provider is required to disclose to the government the following information pertaining to the Account listed in Attachment A for the time period January 27, 2024 to February 2, 2024:

- a. The following subscriber and extended subscriber information about the customers or subscribers of the Account:
 - i. Names (including subscriber names, user names, and screen names);
 - ii. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
 - iii. Local and long distance telephone connection records;
 - iv. Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol (“IP”) addresses) associated with those sessions;
 - v. Length of service (including start date) and types of service utilized;
 - vi. Telephone or instrument numbers (including MAC addresses, Electronic Serial Numbers (“ESN”), Mobile Electronic Identity Numbers (“MEIN”), Mobile Equipment Identifier (“MEID”); Mobile Identification Number

- (“MIN”), Subscriber Identity Modules (“SIM”), Mobile Subscriber Integrated Services Digital Network Number (“MSISDN”); International Mobile Subscriber Identity Identifiers (“IMSI”), or International Mobile Equipment Identities (“IMEI”); device make and model;
- vii. Other subscriber numbers or identities (including the registration Internet Protocol (“IP”) address); and
 - viii. Means and source of payment for such service (including any credit card or bank account number) and billing records.
- b. All records and other information (not including the contents of communications) relating to wire and electronic communications sent or received by the Account, including:
- i. the date and time of the communication, the method of the communication, and the source and destination of the communication (such as the source and destination telephone numbers); call detail records for voice, SMS, MMS, and data; email addresses and IP addresses; and
 - ii. information regarding the cell towers and sectors through which the communications were sent and received; and
 - iii. per call measurement and timing advance data (PCMD, RTT, True Call, NELOS, or similar)

II. Information to be Seized by the Government

All information described above in Section I that constitutes evidence of violations of Title 18, United States Code, §§ 2119 (Carjacking), and 924(c) (brandishing of a firearm during a crime of violence), during the period January 27, 2024 to February 02, 2024.